

Introduced by Senator Chesbro

February 23, 2000

An act to amend Sections 5020.1, 5402, 5600.5, 5600.6, and 5600.7 of, and to add Section 5600.8 to, the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1770, as introduced, Chesbro. Mental health: aftercare plans.

(1) Existing law, the Lanterman-Petris-Short Act, authorizes the involuntary detention for evaluation of persons who are dangerous to self or others, or gravely disabled, as defined. Existing law requires a mentally ill minor, between the ages of 3 and 18 years, upon being considered for release from a state hospital, to have an aftercare plan developed.

This bill would expand this requirement to include any person with mental disabilities and would specify the content of the aftercare plan.

(2) Existing law requires the State Department of Mental Health to collect and publish annually quantitative information concerning the operation of state and county mental health programs and to make these reports available to medical, legal, and other professional groups involved in the implementation of these programs.

This bill would require the department also to make these reports available to the Legislature and to the public upon request.

(3) Existing law, the Bronzan-McCorquodale Act, provides for the organization and finance of community mental health

services for the mentally disordered in every county through locally administered and locally controlled community mental health programs. Existing law establishes a minimum array of services for children and youth, adults, and older adults meeting certain target population criteria.

This bill would require each child or youth, adult, and older adult receiving services under the act to have a service plan developed that includes the services and supports necessary to meet the housing, therapeutic, and other needs of the client. The bill would also require that each adult and older adult client be provided with information and, when requested by the client, assistance in developing an advance directive for mental health treatment. The imposition of these new requirements on counties would create a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5020.1 of the Welfare and
2 Institutions Code is amended to read:
3 5020.1. A ~~mentally ill minor~~ person with mental
4 disabilities, ~~between the ages of 3 and 18~~, upon being
5 considered for release from a state hospital, shall have an
6 aftercare plan developed. ~~Such~~ This plan shall be
7 developed jointly by the appropriate hospital staff, the
8 client, family members and friends, and when

1 *appropriate, representatives from the county mental*
2 *health department and providers of services and supports*
3 *to be provided in the community upon release, and shall*
4 *include the services and supports necessary to meet the*
5 *housing, therapeutic, employment, educational, or*
6 *training needs, provided these are necessary for the*
7 *patient's well-being. The plan shall identify the provider*
8 *of each listed service or support.*

9 SEC. 2. Section 5402 of the Welfare and Institutions
10 Code is amended to read:

11 5402. (a) The State Department of Mental Health
12 shall collect and publish annually quantitative
13 information concerning the operation of this division
14 including the number of persons admitted for 72-hour
15 evaluation and treatment, 14-day and 30-day periods of
16 intensive treatment, and 180-day postcertification
17 intensive treatment, the number of persons transferred
18 to mental health facilities pursuant to Section 4011.6 of
19 the Penal Code, the number of persons for whom
20 temporary conservatorships are established, and the
21 number of persons for whom conservatorships are
22 established in each county.

23 (b) Each local mental health director, and each facility
24 providing services to persons pursuant to this division,
25 shall provide the department, upon its request, with any
26 information, records, and reports which the department
27 deems necessary for the purposes of this section. The
28 department shall not have access to any patient name
29 identifiers.

30 (c) Information published pursuant to this section
31 shall not contain patient name identifiers and shall
32 contain statistical data only.

33 (d) The department shall make the reports available
34 to *the Legislature, to medical, legal, and other*
35 *professional groups involved in the implementation of*
36 *this division, and to the public upon request.*

37 SEC. 3. Section 5600.5 of the Welfare and Institutions
38 Code is amended to read:

39 5600.5. (a) The minimum array of services for
40 children and youth meeting the target population criteria

1 established in subdivision (a) of Section 5600.3 should
2 include the following modes of service in every
3 geographical area, to the extent resources are available:

4 ~~(a)–~~

5 (1) Precrisis and crisis services.

6 ~~(b)–~~

7 (2) Assessment.

8 ~~(c)–~~

9 (3) Medication education and management.

10 ~~(d)–~~

11 (4) Case management.

12 ~~(e)–~~

13 (5) Twenty-four-hour treatment services.

14 ~~(f)–~~

15 (6) Rehabilitation and support services designed to
16 alleviate symptoms and foster development of age
17 appropriate cognitive, emotional, and behavioral skills
18 necessary for maturation.

19 *(b) Each child or youth client receiving services and*
20 *supports under this part shall have a service plan that is*
21 *developed jointly by the client, family members, and*
22 *representatives from the county mental health*
23 *department and providers of services and supports. The*
24 *plan shall include the services and supports necessary to*
25 *meet the housing, therapeutic, educational, or training*
26 *needs of the client. The plan shall identify the provider*
27 *of each listed service or support.*

28 SEC. 4. Section 5600.6 of the Welfare and Institutions
29 Code is amended to read:

30 5600.6. (a) The minimum array of services for adults
31 meeting the target population criteria established in
32 subdivision (b) of Section 5600.3 should include the
33 following modes of service in every geographical area, to
34 the extent resources are available:

35 ~~(a)–~~

36 (1) Precrisis and crisis services.

37 ~~(b)–~~

38 (2) Assessment.

39 ~~(c)–~~

40 (3) Medication education and management.

~~(d)~~

(4) Case management.

~~(e)~~

(5) Twenty-four-hour treatment services.

~~(f)~~

(6) Rehabilitation and support services.

~~(g)~~

(7) Vocational services.

~~(h)~~

(8) Residential services.

(b) Each adult client receiving services and supports under this part shall have a service plan that is developed jointly by the client, family members and friends, and when appropriate, representatives from the county mental health department and providers of services and supports. The plan shall include the services and supports necessary to meet the housing, therapeutic, educational, or training needs of the client. The plan shall identify the provider of each listed service or support.

SEC. 5. Section 5600.7 of the Welfare and Institutions Code is amended to read:

5600.7. (a) The minimum array of services for older adults meeting the target population criteria established in subdivision (b) of Section 5600.3 should include the following modes of service in every geographical area, to the extent resources are available:

~~(a)~~

(1) Precrisis and crisis services, including mobile services.

~~(b)~~

(2) Assessment, including mobile services.

~~(c)~~

(3) Medication education and management.

~~(d)~~

(4) Case management, including mobile services.

~~(e)~~

(5) Twenty-four-hour treatment services.

~~(f)~~

(6) Residential services.

~~(g)~~

1 (7) Rehabilitation and support services, including
2 mobile services.

3 (b) *Each older adult client receiving services and*
4 *supports under this part shall have a service plan that is*
5 *developed jointly by the client, family members and*
6 *friends, and when appropriate, representatives from the*
7 *county mental health department and providers of*
8 *services and supports. The plan shall include the services*
9 *and supports necessary to meet the housing, therapeutic,*
10 *and training needs of the client. The plan shall identify*
11 *the provider of each listed service or support.*

12 SEC. 6. Section 5600.8 is added to the Welfare and
13 Institutions Code, to read:

14 5600.8. Each adult and older adult client receiving
15 services under this part shall be provided with
16 information and, when requested by the client, assistance
17 in developing an advance directive for mental health
18 treatment.

19 SEC. 7. Notwithstanding Section 17610 of the
20 Government Code, if the Commission on State Mandates
21 determines that this act contains costs mandated by the
22 state, reimbursement to local agencies and school
23 districts for those costs shall be made pursuant to Part 7
24 (commencing with Section 17500) of Division 4 of Title
25 2 of the Government Code. If the statewide cost of the
26 claim for reimbursement does not exceed one million
27 dollars (\$1,000,000), reimbursement shall be made from
28 the State Mandates Claims Fund.